

Council Office 145 North Main Street North Canton, Ohio 44720.2587 330.499.3986 - 330.499.2960 Fax

www.northcantonohio.com email: citycouncil@northcantonohio.com

#### **NOTICE OF MEETING**

Council Meeting Agenda Monday, May 11, 2009 – 7:00 P.M.

- 1. Call to Order: 7:00 p.m.
- 2. Opening Prayer:
- 3. Pledge of Allegiance
- 4. Roll Call
- 5. Consideration

Council Meeting Minutes – April 27, 2009 Mayor's Court Receipts – March, 2009

- 6. Committee Minutes
- 7. Recognition of Visitors

#### **OLD BUSINESS:**

- 8. Ordinance No. 33-09 3<sup>rd</sup> Reading Community & Economic Development An ordinance authorizing an agreement with The Fred W. Albrecht Grocery Company dba Acme Fresh Market #16 providing for a project and real property tax exemption pursuant to the Ohio Community Reinvestment Area Program, and declaring the same to be an emergency.
- 9. Ordinance No. 34-09 3<sup>rd</sup> Reading Water, Sewer & Rubbish
  An ordinance approving, confirming and accepting a thirty (30') foot Perpetual
  Water Utility Easement Agreement by and between the City of North Canton, an
  Ohio Municipality, ("Grantee") and Faith Family Church ("Grantor").
- 10. Ordinance No. 35-09 3<sup>rd</sup> Reading Finance & Property
  An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to continue seven (7) of the existing and modify one (1) of the Community Reinvestment Area ("CRA") agreements.

### 11. Ordinance No. 36-09 –2<sup>nd</sup> Reading – Street & Alley

An ordinance amending PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of North Canton by the addition under TITLE ONE – STREET AND SIDEWALK AREAS of a Sidewalk Policy and declaring the same to be an emergency.

#### **NEW BUSINESS:**

### 12. Ordinance No. 44-09 – 1<sup>st</sup> Reading – Personnel & Safety

An ordinance amending Ordinance No. 138-07, to establish a compensation rate and the position of Skilled Worker to the Service Department, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

### 13. Ordinance No. 45-09 – 1<sup>st</sup> Reading – Ordinance, Rules & Claims

An ordinance amending Section 2. of Ordinance No. 56-08 to change the date and time all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council prior to the Committee of the Whole Meeting and declaring the same to be an emergency.

### 14. Ordinance No. 46-09 – 1<sup>st</sup> Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust – Fishing Rodeo Account in the amount of \$1,122.24 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

## 15. Ordinance No. 47-09 – 1<sup>st</sup> Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Main Street Rehab – Professional Services Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

### 16. Ordinance No. 48-09 – 1<sup>st</sup> Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000 and declaring the same to be an emergency.

## 17. Ordinance No. 49-09 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

# Council Meeting Agenda

REPORTS:

Director of Law

Director of Finance

Director of Administration

Mayor

City Engineer

Director of Economic Development

Clerk of Council

**REPORTS - COUNCIL:** 

Pat DeOrio

At Large

Doug Foltz

Ward 1

Marcia Kiesling Daryl Revoldt At Large At Large Daniel Peters Jeff Davies Ward 2 Ward 3

Jon Snyder

Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpác Clerk of Council

#### 5/8/09

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt., P&I, Police Chief Fire/EMS Chief, Press

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# EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, April 27, 2009 at 6:45 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present for the meeting were Mayor Held, Director of Administration Wise, Director of Law McFarren and Director of Finance Zumbar.

Upon a roll call vote of Council, all present moved into an executive session at 6:45 p.m. for the purpose of discussing collective bargaining. Subsequent to the discussion, the executive session adjourned at 7:02 p.m.

Respectfully submitted,
Daniel Peters, Chairman
Jon Snyder, Vice Chairman
Daryl Revoldt, Council Member

5/5/09-gmk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt. P&I, Police Chief Fire/EMS Chief. Press



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# EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, May 4, 2009 at 6:30 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present for the meeting were Mayor Held, Director of Administration Wise, Director of Law McFarren Director of Finance Zumbar and Attorney Robert Tscholl.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing collective bargaining. Subsequent to the discussion, the executive session adjourned at 7:00 p.m.

Respectfully submitted,
Daniel Peters, Chairman
Jon Snyder, Vice Chairman
Daryl Revoldt, Council Member

5/5/09-gmk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt. P&I, Police Chief Fire/EMS Chief, Press

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# FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairman Davies, Member DeOrio, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

#### Items discussed:

- a. <u>Mayor's Court Receipts March, 2009</u>: The mayor's court receipts were reviewed and will be placed on the May 11, 2009 council agenda for formal approval.
- b. Funding Update re Main Street Project: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Main Street Rehab Professional Services Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009.

The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into a professional services agreement for the design of the North Main Reconstruction Phase V Project, at a cost not to exceed \$50,000.

- c. <u>Administration's Proposed Outsourcing Recommendations re Mowing</u>: Item was discussed. No action taken.
- d. <u>Administration's Proposed Outsourcing Recommendations re Street Repair</u>: Item was discussed. No action taken.
- e. <u>Administration's Proposed Outsourcing Recommendations re Catch Basin Repair</u>: Item was discussed. No action taken.
- f. <u>Administration's Proposed Outsourcing Recommendations re Permits & Inspection</u>: No discussion. No action taken.

# Finance & Property Committee Minutes

- g. <u>Administration's Proposed Outsourcing Recommendations re Dispatch</u>: No discussion. No action taken.
- h. <u>Administration's Proposed Outsourcing Recommendations re Retirements</u>: No discussed. No action taken.

### The agenda was amended to include the following:

i. <u>Supplemental Appropriation Request – Mayor's Fishing Rodeo</u>: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust – Fishing Rodeo Account in the amount of \$1,122.24 for the current expense during the fiscal year ending December 31, 2009.

Respectfully submitted,	
Jon Snyder, Chairman	_
Jeff Davies, Vice Chairperson	_
Pat DeOrio, Member	

5/5/09-gmk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt., P&I, Police Chief Fire/EMS Chief, Press

G:\Committee Minutes 09\5-4-09 F&P.doc



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# ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Revoldt, Vice Chairperson Foltz and Member Kiesling, Council Members Davies, DeOrio, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

#### Item discussed:

Amendment to Ordinance No. 56-08 re Date / Time for Submission of Committee of the Whole Agenda Items: The Committee authorized legislation, on an emergency basis, amending Section 2 of Ordinance No. 56-08 to change the date and time all matters to be placed on the Committee of the Whole agenda shall be reported to the Clerk of Council prior to the Committee of the Whole meeting.

Respectfully submitted,
Daryl Revoldt, Chairperson
Doug Foltz, Vice Chairperson
Marcia Kiesling, Member

5/5/09-amk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt. P&I, Police Chief Fire/EMS Chief, Press

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# PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met as part of the Committee of the Whole, Monday, May 4, 2009 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder and Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

#### Item discussed:

a. <u>Amendment to Part-Time Ordinance No. 138-07 re Skilled Worker</u>: The Committee authorized legislation amending Ordinance No. 138-07 to establish a compensation rate and the position of Skilled Worker to the Service Department.

Legislation to contain an emergency clause.

Respectfully submitted,
Daniel Peters, Chairman
Jon Snyder, Vice Chairman
Daryl Revoldt Member

5/5/09-gmk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt., P&I, Police Chief Fire/EMS Chief, Press



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# WATER, SEWER & RUBBISH COMMITTEE MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 4, 2009 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Davies, Vice Chairman DeOrio and Member Snyder, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos and Director of Economic Development Bowles.

#### Item discussed:

a. <u>Portage / West Park Sewer Project</u>: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009.

Respectfully submitted,
Jeff Davies, Chairperson
Pat DeOrio, Vice Chairman
Jon Snyder, Member

5/7/09-gmk

c: Council, Director of Law Mayor, D/Administration D/Finance, City Engineer Supt., P&I, Police Chief Fire/EMS Chief, Press

D	ayton Legal Blank, Inc.				Form No. 30043
	Ordinance No	44-09	Passed		
- 17	5/5/09-gmk (Personnel &	Safety)		•	
:			Ordinance No. 44-09		
	rate and the legislation inc	position of Skilled V	iding Ordinance No. 138 Vorker to the Service D id declaring the same to	epar	to establish a compensation tment, repealing any and all n emergency.
		INED BY THE COU TE OF OHIO:	NCIL OF THE CITY OF	NOF	RTH CANTON, COUNTY OF
	Section 1.	That Section 1 of O the position of Skil hereby amended to	led Worker to Service [	estab Depa	olish a compensation rate and artment, be, and the same is
					ective
		"Public Safety – FIF	PE / EMS	5/1/	/2008
		Assistant Fire Chief			14.96
		Fire Captain Fire Captain / EMT	_ Paramedic		14.60 14.60
		Fire Captain / EMT	– Paramedic – Basic	\$	14.60
		EMT - Paramedic			14.60
		Firefighter / EMT -		•	14.60 14.13
		Firefighter / EMT – Firefighter	Dasic		14.13
		EMT – Basic		\$	14.13
		EMT Personnel on	Standby	\$	2.21
		Manned at Station: Firefighter / EMT -	Paramedic/Basic	\$	12.00
		EMT 's manned at minimum of 5 hours	station will not receive St s/day, maximum of 10 ho	andb urs/c	oy Wages; hours will be a day, 30 hours/week.
					ffective
		Public Safety – Pol	ire	5/	/1/2008
		Dispatcher C		\$	12.21
		School Crossing G	uard	\$	
		Auxiliary Police Special Patrolman		\$ \$	11.04 14.96
		Special Fattonnan		•	
		Financial & Clerica Fiscal/Clerical Spe		\$	11.88
		Building & Permits Building Inspector		\$	24.08
					fective 1/2009
		Service Departme Skilled Worker	<u>ent</u>	\$	14.50

44-09

Ordinance No.	44-09	Passed	, 20
		Effective	
•		5/1/2008	
	Municipal Swimming Pool Pool Director*	\$5,928.2	5
	Assistant Pool Director*	\$4,398.6	
	Concession Stand Mgr.*	\$4,610.8	
	Pool Personnel	\$ 7.3	
	Lifeguard I	\$ 7.69	
	Lifeguard II Lifeguard/Instructor I	\$ 7.9- \$ 8.5:	
	Lifeguard/Instructor II	\$ 8.83	
	Head Lifeguard I	\$ 9.1 <sup>-</sup>	
	Head Lifeguard II	\$ 9.4	
	Pool Maintenance *Paid for Season	\$ 7.3	•
	Paid for Season		
	General Government		
•	Summer I	\$ 7.3	
	Summer II Intern	\$ 7.94 \$ 9.2	
	mom	*	
	Recreation		
	Class "A" Instructor Senior Program Director**	\$ 11.00 \$ 203.50	
	**Paid bi-weekly"	Ψ 200.00	,
Section 2.	bi-weekly pay period, the act applicable hourly rate."  That this ordinance is he		
Occilon 2.	necessary for the preservation North Canton and further position of Skilled Worker at the Service Department; who full force immediately upon it	on of the health, safety, and necessary for the timely and to ensure the continue perefore, this ordinance sha	nd peace of the City establishment of the defficient operational deficient operational
North Canton, Passed:	, OH		
		MAYOR	
			2000
		SIGNED:	, 2009
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D	ayton Legal Blank, Inc.			Form No. 30043
	Ordinance No	45-09	Passed	, 20
	5/5/09-gmk	Rules & Claims)		
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Ordinance No. 45-09	
	and time all m the Clerk of C be an emerge	natters to be place Council prior to the	mending Section 2. of Ordinance No ed on the Committee of the Whole e Committee of the Whole Meeting	agenda shall be reported to
	BE IT ORDAI		OUNCIL OF THE CITY OF NORT	H CANTON, COUNTY OF
	Section 1.	That Section 2 of to read as follow	of Ordinance No. 56-08, be, and thes:	e same is hereby amended
	Section 2.	reported to the	to be placed on the Committee of Clerk of Council by <b>4:30 p.m.</b> ce Whole meeting.	the Whole agenda shall be on Wednesday before the
	Section 3.	ordinances, res Council, Mayor, Finance by 4:3	ittee of the Whole agenda and sup- colutions, committee reports, etc., Director of Administration, Direct 0 p.m. on the Friday before the con thereafter as possible.	shall be available to the tor of Law, and Director of
	Section 4.	if available, (e	ent of Council with concurrence of t ffort to be documented by Cler is ordinance if time is available.	he Committee Chairperson, k of Council) may make
	Section 5.	That Section 11 shall not apply t	15.01(d)(9) and Section 115.01(d)( o the Committee of the Whole mee	10) of the Rules of Council tings.
	Section 6.	That any and all	l legislation inconsistent herewith is	hereby repealed.
	Section 7.	necessary for the North Canton a change in the d Whole agenda the Council Off	nance is hereby declared to be the preservation of the health, safe and further necessary for the tin late and time all matters to be plac are submitted and to ensure conf ice; wherefore, this ordinance sha ely upon its adoption by Council and	ty and peace of the City of nely implementation of the sed on the Committee of the tinued efficient operation of all take effect and be in full
	North Canton Passed:	ı, OH		
			MAYOR	
			SIGNED:	_, 2009
	ATTEST:			
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Ordinance No	46-09	Passed	, 20
5/5/09-gmk (Finance & P	roperty)		
	(	Ordinance No. 46-09	
the General of \$1,122,24	Canton, Ohio, to be Trust Fund to the G	orizing the supplemental appropriated from the unappeneral Trust – Fishing Rodeo penses during the fiscal year be an emergency.	oropriated resources o Account in the amoun
BE IT ORD COUNTY OF	AINED BY THE ( STARK, STATE O	COUNCIL OF THE CITY C F OHIO:	F NORTH CANTON
Section 1.	of North Canton.	current expenses and other e Ohio, during the fiscal year ing funds, be, and are he lows:	ending December 31
•	Appropriate From:		
	The unappropriated	d resources of the est Fund	\$1,122.24
	Appropriate To: 212 General Trust 212.311.5200 G	Fund eneral Trust – Fishing Rodeo	\$1,122.24
Section 2.	hereby authorized	of Finance of the City of No I to issue warrants from appayment of vouchers duly ap ority.	propriations establishe
Section 3.	necessary for the City of North Can Mayor's Fishing R	ce is hereby declared to be a preservation of the health, s ston and further necessary to todeo; wherefore, this ordinan mediately upon its adoption b	afety and peace of the ensure funding for the ce shall take effect an
North Canto Passed:	n, OH		
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ATTEST:		SIGNED:	, 2009
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	Dayton Legal Blank, Inc.			Form No. 30043
	Ordinance No	47-09	Passed	, 20
	5/5/09-gmk (Finance & I	Property)		
			Ordinance No. 47-09	
	the Capital Account in	n Canton, Ohio Improvement I the amount of	authorizing the supplemental a , to be appropriated from the un Fund to the Main Street Reha \$50,000 for the current exper , and declaring the same to be	nappropriated resources of ab - Professional Services ases during the fiscal year
		DAINED BY T F STARK, STA	THE COUNCIL OF THE CIT TE OF OHIO:	Y OF NORTH CANTON,
	Section 1.	of North Can	r the current expenses and oth ton, Ohio, during the fiscal yollowing funds, be, and are as follows:	ear ending December 31,
		Appropriate F	rom:	
			oriated resources of the I Improvement Fund	\$50,000.00
•			o: Improvement Fund Professional Services	\$50,000.00
	Section 2.	hereby author	ector of Finance of the City of crized to issue warrants from e payment of vouchers duly authority.	appropriations established
	Section 3.	necessary for City of North Main Street F	inance is hereby declared to be the preservation of the health Canton and further necessary Rehab Project; wherefore, this all force immediately upon its the Mayor.	<ul> <li>n, safety and peace of the to ensure funding for the ordinance shall take effect</li> </ul>
	North Canto Passed:	on, OH		
			MA'	YOR
	ATTEST:		SIGNED:	, 2009
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			Approp re Main St Rehab.doc	
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	40.00		
Ordinance No	48-09	Passed	, 20
5/5/09-gmk			
(Finance & F	Property)		
		•	
		Ordinance No. 48-09	
design of th	Board of Control, to e North Main Reco	athorizing the Mayor of the o enter into a professional seronstruction Phase V Project, e to be an emergency.	vices agreement for
	DAINED BY THE F STARK, STATE (	COUNCIL OF THE CITY OF OHIO:	OF NORTH CANTO
Section 1.	Control, be, and services agreeme	of the City of North Canton is hereby authorized to er ent for the design of the Nor at a cost not to exceed \$50,00	iter into a professio th Main Reconstruc
Section 2.	hereby authorize above specified c	of Finance of the City of North to draw funds necessary contract upon receipt of vouches tall authority from appropriation	for the payment of ers duly approved by
Section 3.	necessary for the City of North Can the design of the wherefore, this	ce is hereby declared to be preservation of the health, ston and further necessary for the North Main Reconstructordinance shall take effect its adoption by the Council.	safety and peace of the timely completion tion Phase V Proj and be in full fo
North Canto	on, OH		
Passed:			
		MAYO	R
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ATTEST:			
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Dayton Legal Blank, Inc. Form No. 30043						
	Ordinance No	49-09		Passed		_, 20
	5/5/09-gmk (Water, Sew	er & Rubbish)				
·	Ordinance No. 49-09					
	An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Storm Sewer Maintenance – Professional Services Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.					
	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:					
-	Section 1.	of North Ca	inton, Ohio, du following fund	expenses and ot iring the fiscal s, be, and ar	year ending	December 31,
<u> </u>		Appropriate	From:			
		The unappro	opriated resource al Improvement	es of the Fund	\$2	5,000.00
			<u>To</u> : al Improvement 25 Professiona		\$2	5,000.00
	Section 2.	hereby auth	norized to issue the payment o	ce of the City of warrants from of vouchers dul	n appropriatio	ns established
	Section 3.	necessary f City of Nort Portage / W	or the preserva h Canton and est Park Sewer e in full force ir	eby declared to ation of the heal further necessa Project; whereform mediately upor	Ith, safety and ry to ensure fore, this ordin	d peace of the funding for the ance shall take
	North Canto Passed:	n, OH				
				M/ SIGNED:	AYOR, 2	2009
	ATTEST:	DK OF COUR				
		RK OF COUN	NCTL ital Approp re Portage \	Nest Park Sewer.doc		